IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1919 OF 2005

Dhanpal Bapu Chougule .. Petitioner
Vs.
Indubai Bapu Chougule & Ors. .. Respondents.

Ms.Archana Kololgi i/b Mr.T.S.Ingale for the petitioner.

CORAM : D.B.BHOSALE, J.

DATED : 2ND MAY, 2005

P.C.:

. Heard Mr.Archana Kololgi, learned counsel for the petitioner.

2. This petition impugns the judgment and order dated 14.12.2004 passed by the trial Court in Miscellaneous Civil Application No.29 of 1998 allowing the said application on payment of cost of Rs.500/- and thereby restoring Regular Civil Suit No.189 of 1994 to its original file. The miscellaneous civil application was filed for restoration of the suit which was dismissed for default on 10.9.1998. I perused the impugned judgment as also other material placed before me. I am satisfied that substantial justice has been done

by allowing the application for restoration with costs, on sufficient cause being shown by the respondent. No case is made out for interference in extremely limited jurisdiction of this Court under Article 227 of the Constitution of India. The writ petition, therefore, fails and is dismissed as such. The trial Court shall endeavour to dispose of Regular Civil Suit No.189 of 1994 as expeditiously as possible and preferrably within a period of one year from today. The writ petition is disposed of.

(D.B.Bhosale, J.)